

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

KIMBERLY A. SHEA and
MICHELE A. VUKOVICH

v.

THE GUARDIAN LIFE INSURANCE
COMPANY OF AMERICA

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CIVIL ACTION

NO. 98-2831

MEMORANDUM AND ORDER

Fullam, Sr. J.

June , 1999

Plaintiffs are suing a former employer for sexual harassment. Defendant has issued subpoenas to plaintiffs' subsequent employers and current employers. Plaintiffs have filed a motion to quash the subpoenas, and for a protective order.

The defendant argues that plaintiffs have no standing to seek to quash the subpoenas. I am inclined to agree, but I also conclude that plaintiffs definitely have standing to seek protective orders precluding enforcement of the subpoenas.

On the merits, defendant now states that all of the issued subpoenas have been substantially complied with. The information thus provided by defense counsel satisfies me that (1) defendant has now obtained all of the information that could legitimately be sought pursuant to the subpoenas in question; and (2) that plaintiffs have probably not suffered any appreciable harm as a result of compliance with the subpoenas. The actual

controversy between the parties is therefore probably moot. In an abundance of caution, however, it is appropriate to order that no further discovery from the present employers of either plaintiff may be sought by defendant without leave of Court.

An Order follows.

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MICHELE A. VUKOVICH	:	
	:	
v.	:	
	:	
THE GUARDIAN LIFE INSURANCE	:	
COMPANY OF AMERICA	:	NO. 98-2831

ORDER

AND NOW, this day of June, 1999, IT IS ORDERED:

1. Plaintiffs' Motion to Quash Subpoenas and for Protective Orders is GRANTED IN PART. The defendant shall make no further effort to enforce the subpoenas in question, and shall not seek any further discovery from the current employer of either of the defendants without first obtaining a leave of this Court.

2. In all other respects plaintiffs' motion is DISMISSED AS MOOT.

John P. Fullam, Sr. J.